


Quid Novi



THE MCGILL UNIVERSITY FACULTY OF LAW NEWSLETTER

MONTREAL, WEDNESDAY, MARCH 11, 1981

Administrative

☒ L.U.S. Election Information

Nominations are open for the following positions:

- 1) PRESIDENT
- 2) VICE PRESIDENT CIVIL LAW
- 3) VICE PRESIDENT COMMON LAW
- 4) SECRETARY
- 5) TREASURER
- 6) STUDENT REPRESENTATIVE ON FACULTY COUNCIL
- 7) SOCIAL CO-ORDINATOR
- 8) STUDENT REPRESENTATIVE FOR FACULTY OF LAW ON STUDENT'S COUNCIL

1. Students interested in running for one of these positions must complete and submit a nomination paper in the following form:

- a) The nomination paper must read:
"I nominate _____ for the position of _____
for the academic year 1981-82."
- b) All nomination papers must be signed by 20 students eligible to vote pursuant to Article 11 of the LUS Constitution.
Article 11 - Elections

- 11.1 The President, Secretary and Treasurer shall be elected by all the members of the Society.
- 11.2 The Vice-President Civil Law shall be elected exclusively by Civil Law Students, members of the Society, and the Vice-President Common Law shall be elected exclusively by Common Law Students, members of the Society.
- 11.3 The Student Representative on Faculty Council shall be elected by all the members of the Society.
- 11.4 The Social Co-ordinator shall be elected by all members of the Society.

- c) When signing a nomination paper, students shall indicate their programme and year.
- d) Nomination papers must be handed to the Chief Returning Officer (CRO) no later than 5:00 p.m. Thursday, March 19. Papers submitted after this date will not be considered. Delivery of nomination papers to the SAO c/o Glenn Zakaib, CRO, shall constitute delivery to the CRO.

2. Campaigning shall begin no earlier than 5:00 p.m. Thursday, March 19. Campaigning shall cease at 11:00 p.m. Tuesday, March 24, by which time all candidates or their representatives must remove all posters, signs and notices pertaining to the campaign.

3. Balloting shall begin at 9:30 a.m. Wednesday, March 25, and end at 5:00 p.m. of the same day. All voters are requested to bring their I.D. cards to the polls. The balloting box will be located on the first floor outside the Moot Court.

4. Write-in votes and ballots marked other than with an "X" will be considered spoiled.

Glenn Zakaib

Chief Returning Officer

☒ Course Evaluation

Results from first term evaluations should be available shortly. Professors who chose to opt out of the programme had to do so by last Friday. A list of their names should also be ready soon. Second term evaluations will be held next week. We trust that the Dean will undertake the appropriate measures to ensure that all students are informed prior to filling out an evaluation whether the professor has requested that the results not be made available to students.

☒ The Board of Student Advisers will be holding interviews for second and third year students wishing to act as Student Advisers to the first year Tutorial Programme next year. The Student Advisers will be responsible for teaching the materials as well as running the extra-curricular programme, which includes planning visits to the Palais de Justice, law firms and prisons. Each Student Adviser will be granted 2 credits. Note that this is provisional on Faculty Council approving a continuation of the Programme next year.

Please submit a resumé or C.V. to the S.A.O. when signing up for interviews. The interviews will be held next week on Tues. and Thurs. from 1 - 2pm and 4 - 6pm.

☒ To all first and second year students:

A reminder that a meeting will be held on Wednesday, 18 March at 1:00 P.M. in the Common Room to acquaint you with the present editorial and management boards of the McGill Law Journal. Bring your lunch. Coffee and doughnuts will be served.

A tous les étudiants de première et deuxième année:

Une rencontre aura lieu le mercredi 18 mars, à 1 heure, dans le Common Room, dans le but de vous familiariser avec le fonctionnement de la Revue de droit de McGill, ainsi qu'avec ses membres actuels. On vous y attend.

☒ Reminder; The bookstore will be closing soon
Buy your books NOW.

"The Achievements of F.R. Scott" Conference

19 - 21 February, Vancouver. Sponsored by the Canadian Studies Programme of Simon Fraser University.

McGill students will be interested to learn that F.R. Scott, Professor Emeritus in the Faculty, was honoured by representatives of the Canadian legal community, the world of Canadian letters and political thought at the above conference for his contribution in these fields over a period of more than 40 years while he taught here in law (1928 - 1968).

Judge G. LeDain of the Federal Court, a McGill graduate and former professor in the Faculty (before taking up his last academic post as Dean at Osgoode) traced Scott's contribution to the university teaching of law and scholarship; Professor W. Tarnopolsky (Ottawa) sketched his important pioneer work in affirming civil rights in the great cases of the 1950s; Professor Lederman (of Queen's) described his view of Canadian federalism; and Professor Simmonds (U.B.C.) spoke of his contribution to the development of the idea of law as an instrument for social change. The undersigned, as Chairman for this session on Scott as "The Man of Law". Prime Minister Trudeau was in attendance for part of the conference and greetings were received from Chief Justice Laskin of the Supreme Court of Canada.

Tapes of the conference have been ordered for our library and an attempt is underway to secure at least some of these papers for publication in the McGill Law Journal.

It was a grand moment for McGill to have our distinguished colleague recognized in this way!

J.E.C. Brierley

Differential Fees--PROTEST!

The Quebec Ministry of Education recently announced tuition hikes for foreign students. Their current fee is \$1,500. Next year the fee for newly registered foreign students will be \$4,128 while the cost for those currently registered will rise to \$2,500 and then \$3,500 for the 1982-3 academic year. Not all foreign students, however, will be affected equally. The Quebec government has concluded bilateral treaties with eleven predominantly francophone nations whereby students from those countries will be exempt. It is clear that McGill and Concordia will be the hardest hit of the Quebec universities. The effect may be particularly devastating on the Institutes of Comparative Law and Air and Space Law. While not necessarily against the principle of differential fees, these increases are both EXCESSIVE and DISCRIMINATORY. Senate has already passed a motion of protest and last Thursday Faculty Council instructed the Dean to register a similar protest with the Minister of Education. REGISTER A PROTEST OF YOUR OWN! WRITE THE MINISTER OF EDUCATION YOURSELF. As the experience of Amnesty International shows, this action is effective.

write to: Dr. Camille Laurin,
Ministre de l'Education,
Ministère de l'Education,
1035 de la Chevrotière,
Québec, (Québec) G1R 5A5

The Day of Silence - An Evaluation

The organizing committee has decided not to issue a committee report. What follows is a personal evaluation.

The petition in support of the day of silence was signed by about 200 students. It is being presented today to the Chairman of Faculty Council (Dean Brierley). Copies of the covering letter and the petition itself will be posted.

For the benefit of those who lost classes last Wednesday, makeups are being organized. The first is Judicial Law I, and it will be held tomorrow night (Thursday) at 6:00 p.m. in Room 200. We are still looking for someone who has taken P.I.L. to help out with that makeup. Anyone who would like to give a couple of hours of their time please leave a message for me in the L.U.S. office.

In my opinion the day of silence achieved its goals. It also provided considerable food for thought.

As a form of protest it was effective in its own terms. It transmitted the message of our collective dissatisfaction without forcing stereotypes on staff or students. Not all students felt themselves able to cooperate. Although I disagree fundamentally with them, those who did speak in class deserve credit for having the courage of their convictions.

The underlying theme of the day of protest was the cooperative nature of our Law School as evidenced by our classroom experience. We wished to demonstrate, by the withdrawal of our support in the classrooms, how fundamental on all levels our input really is. With this in mind it is interesting that those who cancelled classes or tried to intimidate students made our point in their own eloquent fashion. Even more interesting is the fact that they belong to that group most vehemently against student participation at Council level. From that same group a number were quite able to conduct classes despite the silence. For some, unfortunately, it was all to normal a situation. I am not referring here to those who through sympathy tried to conduct their classes amid silence. Their inventiveness in pedagogical technique speaks for itself.

The day of silence did us the service of fractionating an issue along new lines, allowing new insights into an old problem. Although not all were able to help, we managed in a very few days to build a "mirror" in which individual staff could see their reflections. I believe the power of action lies precisely in its ability to allow this sort of examination.

Campbell Stuart

LETTERS

As students of this Faculty, we were upset at the behavior of the LUS at this year's banquet, an event which they sponsored. Serious breaches of etiquette were committed.

At occasions such as this it is a matter of common decency and one of the responsibilities assumed by any master of ceremonies to introduce distinguished guests. The LUS was informed beforehand that Dean Brierley, Mr. Justice Dickson, Mr. Justice Beauregard, M. le Bâtonnier Blanchard and their wives would be present.

None of these people were introduced and in fact only Mr. Justice Dickson's presence was acknowledged upon presentation of a gift the purpose of which remains unknown to us and many others.

The failure of the LUS and in particular of the master of ceremonies to fulfill their duties reflects badly not only on them but on the whole Faculty. Also it is an insult to the distinguished guests who should have felt more than welcome among us.

The three honourable justices who sat on the bench for the Québec Bar Prize and the Bâtonniers who attended expressed their great appreciation for the outstanding quality of the performances they witnessed. They further commented that they were very impressed with the quality of the academic life at this Faculty. Unfortunately, this fine impression of the Faculty was diminished if not negated at the banquet by those who act as our representatives.

The guests exited early on in the evening, quite disheartened. We can only hope that these occurrences will never be witnessed again.

Diane Hebert Ann Soden Chantal Bojardine

Last Wednesday's day of silence was an unqualified success although the gains are somewhat intangible. One important result is that we learned a lot about the attitudes of students and faculty members.

Students showed they can act with a high degree of solidarity even though the immediate effect was probably equally burdensome to students and teachers. Only in first year, it seems, was there any significant degree of active dissent. Perhaps these dissenters have not yet had the opportunity to experience the full range of frustrations possible in law school.

More interesting was the response of faculty members. The large majority were cooperative, often good humoured, and saw to it that students suffered as little as possible. This responsible attitude would have been the best way to convince students that the protest was unnecessary, even rather foolish. What it does show to the student population is what students "in the know" probably already realize: that a large number of professors are genuinely concerned with the students' interests and willing to cooperate even though on some issues they may vote against us.

Fortunately for the cause of student radicalism, a small group of influential reactionaries were also dramatically revealed in their true colours. These few went out of their way to retaliate against the students, many of whom were understandably perhaps less able to make up for lost class material on their own. This obvious desire to strike back at students in general by harming those within their reach must disgust even those sympathetic colleagues who were nevertheless able to exercise a laudable degree of self control. By lashing out irresponsibly, these professors have provided the best justification for effective student input into faculty matters. Obviously the mere fact of being a McGill law professor is no guarantee of ability to make decisions in the best interests of students or the school.

For various reasons no further action will be taken on the issue of student representation in the near future. However, when it does come up again, or for that matter, any other issue of importance to students, we should be better prepared. Prior to the faculty council meeting which rejected the demand for increased representation, the matter was discussed at a general assembly. This meeting was somewhat of a fiasco. It was not at all clear why we were asking only for an increase of 2: why not any other number? The result was that the request seemed arbitrary. The LUS executive has recognized a greater need to inform students on such issues.

Equally important is the need for some sort of public discussion on issues. For example, consensus should be sought not only on how much representation to request, but how much is desirable. Are there really any good reasons to set parity as the final goal? Evidently there are students who think so, but to stand up and say so in a general assembly is not the same thing as to make an argument for parity.

Peter Dwyer

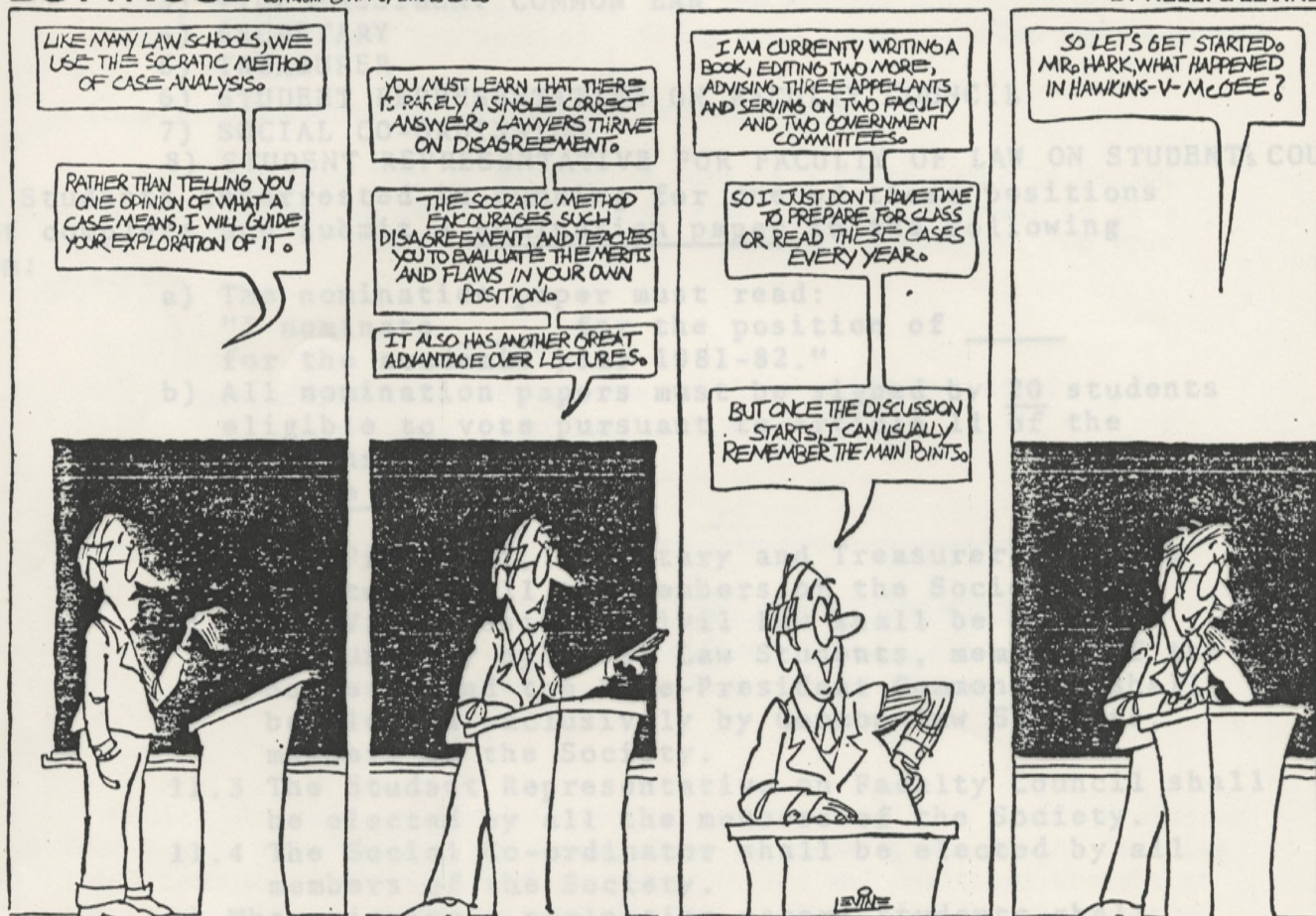
Sports

- MENS B HOCKEY BEAT MEDICINE 3-0 IN PLAYOFF ACTION. SEMI-FINALS THURSDAY 10:15 COME CHEER ON THE TEAM!
- MENS FLOOR HOCKEY PLAY-OFFS AT 5:30 TONIGHT.
- CONGRATULATIONS TO RON SILVERSON & AL DANAITAS FOR WINNING "MALE ATHLETE OF THE YEAR" AWARD, AND TO TANNIS McLARNEN FOR WINNING THE "FEMALE ATHLETE OF THE YEAR".
- MENS A HOCKEY LOST IN THE SEMI-FINALS LAST WEEK' AS DID THE MENS VOLLEYBALL TEAM. GOOD TRY BOYS'.
- WOMENS ICE HOCKEY WON THEIR 2nd CONSECUTIVE CHAMPIONSHIP LAST WEEK. CONGRATULATIONS!

BUTTNOSE

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BY KELLY & LEVINE



People

DEAR BORA,

Last year a man approached me and said that he would pay me a large sum of money if I would be artificially inseminated and give him the baby. At the time I was a little short of cash so I agreed. During my pregnancy I was hit by a bus while crossing the street. The accident was completely due to the negligence of the driver. Because of this event the baby was born with SYAWMART LAERTNOM imprinted on his forehead. Now, although the man has paid me the money he refuses to take custody of his child. What should I do?

Signed,

Mlle. L.V. Lajupe

Dear Mlle. Lajupe,

I am sorry to inform you that you will have little chance to force the father to take custody of the child. However you may be able to claim support for the child through the Family Law Deform Act. Failing this the court may award support through the imposition of a resulting trust, or, alternatively, award damages in compensation for the breach of his dependant promise. I wish you luck in this endeavour and confidence that your son will find a challenging career stamping stationery for the bus company.